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09/942,350	08/29/2001	Steve L Cohen	Cohen 380	9613

7590

11/19/2002

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PO Box 574  
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EXAMINER

NGUYEN, DUC MINH

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

HG

# Office Action Summary

Application No.

09/942,350

Applicant(s)

COHEN ET AL.

Examiner

Duc Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 26-57 is/are pending in the application.
- 4a) Of the above claim(s) 31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 21 and 26-30 is/are rejected.
- 7) ☒ Claim(s) 18-20 is/are objected to.
- 8) ☒ Claim(s) 32-57 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Specification*

1. The preliminary amendment filed 8/29/01 and the amendment filed 10/17/02 are objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the **original disclosure** is as follows: **caller ID**; an amount retrieved from the database has an value, including **a zero value, or a null value when the telephone number is not found in the database**. Applicant is required to cancel any claimed subject matter that does not support by the original specification (Patent No. 5,946,380).

Applicant is required to cancel the new matter in the reply to this Office Action.

### *Claim Objections*

2. Claim 31 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 31 depends on a canceled claim. Accordingly, claim 31 has not been further treated on the merits.

There are discrepancies, in the preliminary amendment, between the clean version and the amendment showing changes made version of the claims. For instance, the claim numbers are not matched.

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***Election/Restriction***

3. Newly submitted claims 32-57 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: a controller comprising a first module to receive a caller ID. It is noted that **ANI - Automatic Number Identification** is the billing number of the calling party in a telephone call. Enables IECs to bill telephone calls without requiring customers to enter PINs. Provided by the originating LEC, initially via Multi-Frequency FG-D, now also via SS7 FG-D connections. ANI is also sold by IECs to their direct-connect customers, normally in conjunction with ISDN PRI. Prior to "Equal Access," AT&T was the only IEC that received ANI. Customers of other companies (such as MCI and Sprint) had to enter their Personal Identification Number (PIN) on every call, so they could be billed. **CID - caller ID**, on the other hand, is the telephone number of the party placing a call. ISDN telephones (and some analog telephones) display this number while the called party's telephone is ringing. Used in applications such as call screening.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 32-57 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 28, 32-57 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added material which is not supported by the **original disclosure** is as follows: **caller ID**; an amount retrieved from the database has an value, including **a zero value, or a null vale when the telephone number is not found in the database**. Furthermore, Cohen uses the ANI to check the account balance, not the other way around, i.e., **a zero value, or a null value when the telephone number is not found in the database**. Applicant is required to cancel any claimed subject matter that does not support by the original specification (Patent No. 5,946,380).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-3, 9-12, 14, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fournies et al (5,722,067) in view of D'Urso et al (5,353,335).

Consider claims 1-2. Fournies teaches in a communication system including at least one network switch (LEC 20 inherently includes at least one switch) coupled, in part, to at least one caller via a communication device uniquely associated with the caller and for establishing the caller's identity in accordance with a number associated with the caller's communication device, comprising a database (19) storing information in accordance with the caller's telephone number (a cellular radiotelephone's preprogrammed a pre-selected telephone number and an automated number ID (ANI); see the abstract), the information indicating a budgeted calling amount for the caller (col. 5, ln. 51 to col. 6, ln. 4; col. 7, ln. 40 to col. 8, ln. 67); a control processor (call processing at the host computer 16; col. 8, ln. 26-49), the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 8, ln. 50-57); and a voice response unit coupled to the processor and to the network for sending one message to the caller indicative of the amount of time available to the caller (col. 8, ln. 67 to col. 9, ln. 8). Fournies does not teach a telephone line uniquely associated with the caller. However, it would have been obvious to one of ordinary skill in the art to utilize the teachings of Fournies in any network environment without changing the scope of the claimed subject matter which is to transmit the ANI and a DNIS to a switch, which contacts a host computer for call validation the pre-paid account. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the teachings of Fournies in a land-line telecommunication network,

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so that the telephone users are freed of the need to enter account information as a first step in the authentication process.

D'Urso teaches a control processor (processor 58, fig. 2) establishing a maximum allowable time length for the caller based on the information and on the destination of the caller's call (abstract; col. 3, ln. 10-27; col. 19, ln. 16-33), the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 9, ln. 29-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of D'Urso into the teachings of Fougnyes in order to provide a user-friendly, interactive, multilingual prepaid telephone system which allows caller to make call with an amount of calling time permitted by the available balance.

Consider claim 3. Col. 8, ln. 50 to col. 9, ln. 8 reads on the limitations of claim 3.

Consider claims 9, 11-12. Fougnyes' fig. 1 reads on the limitations of claims 9, 11-12.

Consider claim 14. Fougnyes' col. 8, ln. 50 to col. 9, ln. 8 reads on the limitations of claim 14.

Consider claim 16. Fougnyes teaches a method for enabling a caller placing a call to a destination through a communication system including at least one network switch (LEC 20 inherently includes at least one switch) coupled, in part, to at least one caller via a communication device uniquely associated with the caller and for establishing the caller's identity in accordance with a number associated with the caller's communication device, comprising a database (19) storing information in accordance with the caller's telephone number (a cellular radiotelephone's

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preprogrammed a pre-selected telephone number and an automated number ID (ANI); see the abstract), the information indicating a budgeted calling amount for the caller (col. 5, ln. 51 to col. 6, ln. 4; col. 7, ln. 40 to col. 8, ln. 67); the LEC 20 inherently accessing a routing database for directing the call to the destination; a control processor (call processing at the host computer 16; col. 8, ln. 26-49), the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 8, ln. 50-57); and a voice response unit coupled to the processor and to the network for sending one message to the caller indicative of the amount of time available to the caller (col. 8, ln. 67 to col. 9, ln. 8). Fougny does not teach a telephone line uniquely associated with the caller. However, it would have been obvious to one of ordinary skill in the art to utilize the teachings of Fougny in any network environment without changing the scope of the claimed subject matter which is to transmit the ANI and a DNIS to a switch, which contacts a host computer for call validation the pre-paid account. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the teachings of Fougny in a land-line telecommunication network, so that the telephone users are freed of the need to enter account information as a first step in the authentication process.

D'Urso teaches a control processor (processor 58, fig. 2) establishing a maximum allowable time length for the caller based on the information and on the destination of the caller's call (abstract; col. 3, ln. 10-27; col. 19, ln. 16-33), the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 9, ln. 29-57).



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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of D'Urso into the teachings of Fournies in order to provide a user-friendly, interactive, multilingual prepaid telephone system which allows caller to make call with an amount of calling time permitted by the available balance.

8. Claims 4-8, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fournies et al (5,722,067) in view of D'Urso et al (5,353,335) as applied to claims 1, above, and further in view of Taskett (5,991,748).

Consider claim 4. Fournies does not clearly teach sending an indication to the communication device providing courses of action to be taken upon expenditure of the amount.

Taskett teaches sending an indication to the communication device providing courses of action to be taken upon expenditure of the amount (col. 2, ln. 39-52; col. 7, ln. 45 to col. 8, ln. 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Taskett into the teachings of Fournies in view of D'Urso in order to provide a new prepaid calling card that permits that account balance to be regenerated more efficiently and with less risk of error.

Consider claim 5. Taskett further teaches the limitations of claim 6 in (col. 7, ln. 45 to col. 8, ln. 18).

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Consider claim 6. Taskett further teaches the limitations of claim 6 in (col. 7, ln. 45 to col. 8, ln. 18).

Consider claim 7. Taskett further teaches enabling the calling customer to pre-pay the budgeted calling time and amount before initiating a call using the budgeted time and amount (col. 7, ln. 1-22).

Consider claim 8. Taskett further teaches enabling the calling customer to pay the budgeted calling time and amount after the budgeted time and amount have been depleted (col. 7, ln. 51 to col. 8, ln. 11).

Consider claim 15. Taskett further teaches extending the budgeted telephone call after the telephone call has exceeded the budgeted time and amount and before the telephone call has been terminated (col. 2, ln. 39-52; col. 7, ln. 45 to col. 8, ln. 11).

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fougnes et al (5,722,067) in view of D'Urso et al (5,353,335) as applied to claim 1 above, and further in view of Tatchell et al (5,905,774).

Consider claim 10. Fougnes in view of D'Urso does not clearly teach that the database includes stored program instruction for implementing the announcement and monitoring processes in the control process and associated with the call.

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Tatchell teaches a database includes stored program instruction for implementing the announcement and monitoring processes in the control process and associated with the call (col. 12, ln. 51 to col. 20, ln. 37; col. 20, ln. 39 to col. 21, ln. 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Tatchell into the teachings of Fougnyes in view of D'Urso in order to provide improvement in managing telephone features such as the Voice Messaging System, Call Waiting, Call Display, Call Return, etc.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fougnyes et al (5,722,067) in view of Stimson (5,721,768).

Consider claim 13. Fougnyes teaches in a communication system including at least one network switch (LEC 20 inherently includes at least one switch) coupled, in part, to at least one caller via a communication device uniquely associated with the caller and for establishing the caller's identity in accordance with a number associated with the caller's communication device, comprising a database (19) storing information in accordance with the caller's telephone number (a cellular radiotelephone's preprogrammed a pre-selected telephone number and an automated number ID (ANI); see the abstract), the information indicating a budgeted calling amount for the caller (col. 5, ln. 51 to col. 6, ln. 4; col. 7, ln. 40 to col. 8, ln. 67); a control processor (call processing at the host computer 16; col. 8, ln. 26-49), the control process further accessing a routing database for obtaining routing instruction for routing the call to the destination (col. 8, ln.

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11-25), and the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 8, ln. 50-57); and a voice response unit coupled to the processor and to the network for sending one message to the caller indicative of the amount of time available to the caller (col. 8, ln. 67 to col. 9, ln. 8). Fournies does not teach a telephone line uniquely associated with the caller. However, it would have been obvious to one of ordinary skill in the art to utilize the teachings of Fournies in any network environment without changing the scope of the claimed subject matter which is to transmit the ANI and a DNIS to a switch, which contacts a host computer for call validation the pre-paid account. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the teachings of Fournies in a land-line telecommunication network, so that the telephone users are freed of the need to enter account information as a first step in the authentication process.

Fournies does not teach voice response unit for sending messages to the calling customer in response to the processor at the beginning of each budgeted call to indicate remaining budgeted telephone calling time and amount available to the calling customer for the telephone call.

Stimson teaches voice response unit for sending messages to the calling customer in response to the processor at the beginning of each budgeted call to indicate remaining budgeted telephone calling time and amount available to the calling customer for the telephone call (col. 5, ln. 42-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Stimson into the teachings of Fournies in order to

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provide a new prepaid calling card that permits that account balance to be regenerated more efficiently and with less risk of error.

11. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fougnyes et al (5,722,067) in view of D'Urso et al (5,353,335) and Stimson (5,721,768).

Consider claim 17. Fougnyes teaches in a communication system including at least one network switch (LEC 20 inherently includes at least one switch) coupled, in part, to at least one caller via a communication device uniquely associated with the caller and for establishing the caller's identity in accordance with a number associated with the caller's communication device, comprising a database (19) storing information in accordance with the caller's telephone number (a cellular radiotelephone's preprogrammed a pre-selected telephone number and an automated number ID (ANI); see the abstract), the information indicating a budgeted calling amount for the caller (col. 5, ln. 51 to col. 6, ln. 4; col. 7, ln. 40 to col. 8, ln. 67); a control processor (call processing at the host computer 16) inherently establishing a maximum allowable time length for the caller based on the information and on the destination of the caller's call (col. 8, ln. 26-49); the LEC 20 inherently accessing a routing database for directing the call to the destination; the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 8, ln. 50-57); and a voice response unit coupled to the processor and to the network for sending one message to the caller indicative of the amount of time available to the caller (col. 8, ln. 67 to col. 9, ln. 8). Fougnyes does not teach a telephone line uniquely associated with the

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caller. However, it would have been obvious to one of ordinary skill in the art to utilize the teachings of Fougnyes in any network environment without changing the scope of the claimed subject matter which is to transmit the ANI and a DNIS to a switch, which contacts a host computer for call validation the pre-paid account. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the teachings of Fougnyes in a land-line telecommunication network, so that the telephone users are freed of the need to enter account information as a first step in the authentication process.

D'Urso teaches a control processor (processor 58, fig. 2) establishing a maximum allowable time length for the caller based on the information and on the destination of the caller's call (abstract; col. 3, ln. 10-27; col. 19, ln. 16-33), the processor further monitoring the call in progress to determine how much time has elapsed for the call (col. 9, ln. 29-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of D'Urso into the teachings of Fougnyes in order to provide a user-friendly, interactive, multilingual prepaid telephone system which allows caller to make call with an amount of calling time permitted by the available balance.

Fougnyes in view of D'Urso does not teach voice response unit for sending messages to the calling customer in response to the processor at the beginning of each budgeted call to indicate remaining budgeted telephone calling time and amount available to the calling customer for the telephone call.

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Stimson teaches voice response unit for sending messages to the calling customer in response to the processor at the beginning of each budgeted call to indicate remaining budgeted telephone calling time and amount available to the calling customer for the telephone call (col. 5, ln. 42-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Stimson into the teachings of Fougnyes in view of D'Urso in order to provide a new prepaid calling card that permits that account balance to be regenerated more efficiently and with less risk of error.

12. Claims 21, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fougnyes et al (5,722,067) in view of Taskett (5,991,748).

Consider claim 21. Fougnyes teaches a method for interacting with a communication device having an assigned telephone number (a cellular radiotelephone's preprogrammed a pre-selected telephone number and an automated number ID (ANI); see the abstract), comprising deriving the telephone number from a signal received from the communication device when the communication device initiates a call to a destination instrument (col. 5, ln. 51 to col. 6, ln. 4); accessing a database which stores information that associated telephone numbers with pre-paid telephone service and retrieving therefrom an amount of the pre-paid telephone service that is associated with the telephone number of the communication device (col. 5, ln. 51 to col. 6, ln. 4); establishing a connection between the communication device and destination instrument when the

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amount is greater than a first predetermined threshold value (a sufficient account balance; col. 3, ln. 36 to col. 4, ln. 18; col. 7, ln. 40 to col. 8, ln. 67), where a cost attributed to the connection increases with time during which the connection is maintained (col. 4, ln. 13-18; fig. 5, step 114); repeatedly determining when the cost of the connection comes within a second predetermined threshold of the amount (account balance valid for 1 more minute; see fig. 7, step 132; col. 8, ln. 26-67); and sending an indication to the communication device (fig. 7, step 136).

Fougnyes does not clearly teach sending an indication to the communication device providing courses of action to be taken upon expenditure of the amount.

Taskett teaches sending an indication to the communication device providing courses of action to be taken upon expenditure of the amount (col. 2, ln. 39-52; col. 7, ln. 45 to col. 8, ln. 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Taskett into the teachings of Fougnyes in order to provide a new prepaid calling card that permits that account balance to be regenerated more efficiently and with less risk of error.

Consider claims 26-27. Taskett's col. 8, ln. 1-11 reads on the limitations of claims 22-27.

Consider claim 28. It is inherently that when the telephone number is not found in the database (i.e., ANI validation fails), the balance is null or nonexistence.

Consider claim 29. Fougnyes further teaches the cost is charged against the amount at a preselected point in time (col. 8, ln. 26-49).



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Consider claim 30. Fournies teaches determining if the account balance valid for 1 more minute (see fig. 7, step 132; col. 8, ln. 26-67) which reads on the limitations of claim 30.

*Allowable Subject Matter*

13. Claims 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Response to Arguments*

14. Applicant's arguments filed 10/17/2002 have been fully considered but they are not persuasive.

Regarding the Fournies reference, applicant states "clearly, no voice message is provided in the case of expiration of the budgeted calling time and amount until after a disconnection of the call occurs." In contrast to applicant's assertions, Fournies clearly teaches sending the at least one message to the caller prior to the expiration of the budgeted calling time and amount and terminating the call upon expiration of the budgeted calling time and amount **(the vru then issues an appropriate voice message 40 to advise the user of the revise account balance and the user is disconnected at block 42; col. 6, ln. 47-49)**. Applicant further states "no indication were found in the specification, to suggest that database 19 is distributed throughout the network." In contrast to applicant's assertions, fig. 1 suggests that database 19 is accessible by more than one service providers within the cellular network or system (10).

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network.” In contrast to applicant’s assertions, fig. 1 suggests that database 19 is accessible by more than one service providers within the cellular network or system (10).

In response to applicant’s arguments regarding claim 5, Fournies clearly teaches sending the at least one message to the caller prior to the expiration of the budgeted calling time and amount and terminating the call upon expiration of the budgeted calling time and amount **(the vru then issues an appropriate voice message 40 to advise the user of the revise account balnce and the user is disconnected at block 42; col. 6, ln. 47-49)**. Furthermore, in response to applicant’s arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding the Fournies and Taskett references, applicant states “Neither Fournies nor Taskett employ an arrangement with two payment methods: the prepaid account, and an avenue for an “additional charge to the customer.” Claim 6 only recites “allowing the call to be completed after expiration of the budgeted calling time subject to an additional charge to the customer.” Taskett clearly teaches that when the account balance of the phone card depletes to a predetermined amount, the customer is allow to continue with the call after recharging the phone card (col. 2, ln. 39-52. An avenue for an “additional charge to the customer” is met due to the fact that the customer has to pay for an additional charge. Taskett also teaches that the connection to the called party is maintain throughout the recharge sequence (col 2, ln. 51-52).

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***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 308-6306 or (703) 308-6296** (Group's Fax numbers)  
**(703) 746-7251** (Examiner's Fax number, only for proposed amendment)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

November 8, 2002



**DUC NGUYEN  
PRIMARY EXAMINER**